

PGCPB No. 16-97

File No. DSP-16005

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 21, 2016 regarding Detailed Site Plan DSP-16005, Addison Overlook (formerly Lincolnshire), the Planning Board finds:

1. **Request:** The detailed site plan (DSP) is for 56 quadruple-attached dwelling units in the Townhouse (R-T) and Multifamily Medium Density Residential (R-18) Zones on a 10.56-acre site.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	R-T/R-18	R-T/R-18
Use(s)	Residential	Residential
Total Acreage	10.56	9.72
R-18	4.92	4.66
R-T	5.64	5.06
Residential Units	0	56

OTHER DEVELOPMENT DATA

Parking Requirements

Parking Required (2.04 per 56 units)	115
Total Parking Provided:	125*
Garage Spaces (2 per unit)	112
Total On-Street Parking	13
Handicapped	1
Parallel	3
Standard	9

*Note: There are an additional 112 possible parking spaces as each dwelling unit's driveway is large enough to accommodate two parking spaces.

ARCHITECTURAL TYPES (BASE FINISHED FLOOR AREA)

24-foot x 36-foot plan	2,089 square feet
24-foot x 42-foot plan	2,515 square feet

3. **Location:** The subject site is located on the east side of Addison Road, approximately 300 feet north of its intersection with Ronald Road and approximately 3,000 feet south of the Addison Road metro station, within Planning Area 75A and Council District 6.
4. **Surrounding Uses:** The site is bounded to the north by an existing church in the R-55 (One-Family Detached Residential) Zone and vacant M-NCPPC-owned parkland in the R-O-S (Reserved Open-Space) Zone; to the east by vacant M-NCPPC-owned parkland in the R-O-S Zone; to the south by a multifamily development known as the Woods at Addison Apartments (formerly known as Addison Arms Apartments) in the R-18 Zone and single-family detached homes in the R-T Zone; and to the west by the public right-of-way of Addison Road.
5. **Previous Approvals:** In October 1987, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-87179 (PGCPB Resolution No. 87-482) for the property subject to 12 conditions. Detailed Site Plan SP-88050 was subsequently approved on June 9, 1988 (PGCPB Resolution No. 88-270). A final plat was recorded pursuant to that approval at NLP 147 @ 81, showing 81 lots and two parcels. Despite multiple other PPS and DSP applications, the property has never been developed. The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA) retained the subject site in the R-T and R-18 Zones. The site is also the subject of approved Stormwater Management Concept Plan 55311-2015-00, approved by the Department of Permitting, Inspections and Enforcement (DPIE) on March 15, 2016 and valid until March 15, 2019.
6. **Design Features:** The subject DSP proposes the construction of 56 quadruple-attached dwelling units and associated recreational and stormwater management facilities. The subject property is in irregular shape and is bisected by a zoning line, creating a 4.66-acre R-18-zoned portion and a 5.06-acre R-T-zoned portion. The westernmost portion of the site is characterized by steep slopes and is impacted by the 65 dBA Ldn noise contour of Addison Road. The proposed development is set back substantially from Addison Road and a stormwater management facility is proposed to be located in this area, north of the main access drive. One main private street, with several spurs and lit with decorative pole lights, is proposed to serve the front-loaded garage dwelling units. Monument-style entrance features are proposed on both sides of the access drive and include two brick piers connected by ornamental metal fencing with a project identification sign attached.

For the 56 units, only one house type is proposed, but with eight different front elevation options. The different elevation options are specified as to which lot they can go on, such that there will be a variety in exterior finishes and roof design. The base size of the unit will be 24 feet wide, 36 feet deep, and approximately 38 feet high with a minimum base finished area of 2,089 square feet and a front-loaded two-car garage as a standard feature. An optional plan that expands the unit to 24 feet wide by 42 feet deep is available on approximately half of the lots where lot depth and

grading allow. The proposed elevations feature high-quality design elements including shutters, balanced fenestration, enhanced window and door trim, standing seam metal-roofed porches over the front doors with decorative columns, cross gables, and dormers. Notes on the architecture require that 75 percent of all building façades be finished in full brick, with the remaining offering a combination of vinyl siding and cedar shake shingles. High-visibility side elevations have been specified with side entries, full brick on the first story, and an additional eight architectural features. The standard side elevation includes a brick watertable, vinyl siding above, and a minimum of five features, including a minimum of three full-size windows with shutters. Decks are optional on the majority of lots and architectural shingles are proposed for all roofs. Rear elevations feature vinyl siding with sliding glass doors on the first floor, a door on the second floor level for the optional deck and a variety of additional windows. Given the visibility of the garage doors throughout the development, a condition has been included in this approval requiring that all doors have a carriage-style appearance.

Recreational Facilities: Two private on-site recreational areas are proposed for the development. The secondary area at the eastern end of the development, behind Lots 21–24, will be an approximately 3,000-square-foot grassed open play field. This area should serve as a good focal point for the 20 units at this end. The main recreational area is at the west end of the site, near the front entrance, but sets back from Addison Road to avoid noise impacts. It includes a 320-square-foot community garden, gazebo with benches, picnic tables with a grill, and a tot-lot with a play structure, timber border and wood fiber surfacing. The Planning Board found that the design of this area should be reexamined prior to certification to ensure appropriate relationships between each elements in order to maximize the usability of the space. For instance, the community garden space looks like it could be expanded and the open lawn space could be consolidated by shifting the play equipment location. A condition has been included in this approval requiring a redesign of this recreational area, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-T and R-18 Zones and the site plan design guidelines of the Zoning Ordinance as follows:
 - a. The subject application is in conformance with the requirements of Section 27-441, which governs permitted uses in residential zones. The proposed quadruple-attached units are a permitted use in the R-T Zone.
 - b. The proposal is in conformance with the requirements of Section 27-442, Regulations, regarding additional regulations for development in residential zones in that the minimum lot size is 1,824 square feet, a minimum of 800 square feet of yard is provided for each lot, the maximum building coverage of the overall net tract is less than 35 percent, the

maximum building height is less than 40 feet, and the proposed density is approximately 5.76 dwelling units per acre.

The proposed site plan shows side lot lines immediately adjacent to the edge of the dwelling units on end lots. Although the Zoning Ordinance does not specify a width requirement for side yards of attached dwelling units, but rather an overall minimum area for the total yard, the Planning Board found that the proposed lot line location could become problematic both during construction and for homeowners needing access to the side and the rear of their unit. Therefore, a condition has been included in this approval requiring a minimum five-foot-wide side yard on all lots and then a minimum ten feet between adjacent sticks to allow for sufficient access between groups of dwelling units.

- c. The subject project also conforms to the requirements of Section 27-433, R-T Zone, such as follows:
- There are not more than six, or less than three, dwelling units in a stick. All sticks are four units.
 - The minimum width of all dwelling units is greater than 20 feet, at 24 feet, and the minimum gross living space is 2,089 square feet.
 - All end walls have a minimum of two features and high-visibility lots have additional features and brick on the first floor.
 - A condition below ensures that above-ground foundation walls are either clad with finish materials or textured/formed to simulate a clad material.
 - Seventy-five percent of the units are proposed to have a full brick front.
- d. The DSP is in conformance with the applicable site plan site design guidelines contained in Section 27-274, as cross-referenced in Section 27-283. For example, the subject development provides amenities that are functional and constructed of durable, low maintenance materials; pedestrian access is provided into the site from the right-of-way; and each unit employs a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials.
- e. Two proposed six-foot-high, seven-square-foot, freestanding monument signs are shown on the DSP, facing the private entrance road. The signs are in conformance with the Zoning Ordinance standards in Section 27-624, which governs gateway signs in residential subdivisions, except it does not show landscaping at the base of a gateway sign as required. Therefore, a condition has been included in this approval requiring landscaping be added.

8. **Preliminary Plan of Subdivision 4-87179:** Preliminary Plan of Subdivision 4-87179 was approved by the Planning Board and formalized in PGCPB Resolution No. 87-482, containing 12 conditions, adopted by the Planning Board on October 22, 1987. The record plat for that PPS was recorded in Land Records as Walker Mill Towne on June 30, 1989 as Plats NLP 147-81 and NLP 147-82. Subsequently, PPS 4-06098, for two-family attached and multifamily dwelling units, was approved and adopted (PGCPB Resolution No. 07-31) by the Planning Board on March 15, 2007, and is valid through December 31, 2017, but has not been platted. Although 4-06098 is still valid, the applicant is not proposing those product types and the applicant does not intend to develop under 4-06098, but move forward with the proposed development, which is not inconsistent with the approved PPS 4-87179. Preliminary Plan 4-87179 was approved for townhouse dwelling units, the applicant is proposing a conversion to quadruple attached dwellings which are considered single-family attached units and are considered consistent with the approved dwelling units. In order to proceed in this manner, the applicant will need to withdraw 4-06098, prior to the Planning Board hearing for DSP-16005. The relevant requirements of that approval are indicated in [**boldface**] type below, followed by comment.

1. **Approval of a conceptual stormwater management plan prior to detailed site plan.**

The DSP has an approved Stormwater Management Concept Plan and the Department of Permitting, Inspections and Enforcement (DPIE) confirmed that the DSP is consistent with that approval.

2. **Submission of a forest stand delineation prior to approval of any building permits and as part of the submission for detailed site plan review.**

A Type 2 tree conservation plan (TCP2) was submitted with this application and the Planning Board found to approve it.

3. **Approval of a floodplain by the Department of Environmental Resources prior to detailed site plan.**

The current site plan is in Section I of the original PPS, which does not include any land within the floodplain. This condition was intended for review of development in Sections II and III because of an existing stream along the then proposed Karen Boulevard.

4. **A soils study shall be submitted and reviewed by the Prince George's Soil Conservation District prior to detailed site plan. The soils report shall be for Lots 1-8, Block E of Section I and include soils types delineated, soil boring locations, soil boring logs, findings and recommendations.**

A soils study has not been submitted and reviewed by the Prince George's Soil Conservation District at this time. In conformance with County Council Bill CB-94-2004, a soils report may be required to be submitted to DPIE during the building permit review

process. The Environmental Planning Section indicated that no Marlboro clay or Christiana complex soils are identified on the property.

5. **A conceptual grading and sediment control plan shall be reviewed and approved by the Prince George's Soil Conservation District prior to detailed site plan.**

A conceptual grading and sediment control plan has not been reviewed and approved by the Prince George's Soil Conservation District at this time. Per current practices, a stormwater management concept plan has been reviewed and approved for the subject development and erosion and sediment control plans will be required at the time of fine grading permit.

6. **At the time of detailed site plan, a 10-foot utilities easement shall be shown on the plan.**

The DSP does show a ten-foot-wide public utility easement (PUE) along the public street and at least one side of the private streets. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees, shall reestablish the ten-foot-wide PUE along all public streets, and one side of all private streets, or a PUE acceptable to the applicable public utility providers, as reflected on the approved DSP.

7. **A final determination of recreational facilities shall be determined by the Urban Design staff at the time of detailed site plan.**

The current record plat is subject to a recorded recreational facilities agreement (RFA). That RFA states that the developer is to provide private recreational facilities in lieu of mandatory dedication of parkland. Due to the change in proposed facilities, the RFA will need to be amended prior to the final plat of the subject development. Two recreational areas with amenities and recreational facilities are proposed with this DSP. The recreational facilities proposed are acceptable, subject to several conditions.

8. **Land to be conveyed to a Homeowner's Association subject to Conditions 1 through 5 of Exhibit "A"**

Note 2 on Final Plats NLP 147-81 and NLP 147-82 states the following:

"This plat is subject to a declaration of covenants, conditions and restrictions, recorded in Liber 7195 at folio 93."

The specified declaration was for the creation of a homeowners association (HOA) and it will have to be amended based on the current site plan. The applicant indicated that they are aware of this and intend to amend the document prior to approval of the final plat.

9. **The detailed site plan, as required in the R-T and R-18 Zones by the Prince George's County Zoning Ordinance, will be reviewed to also address:**

- a. **A suitable buffer along all streets and between all streets and lot lines;**

The only adjacent public street to this site is Addison Road to the west. All proposed lots are set back over 180 feet from the ultimate right-of-way of Addison Road and that area is proposed to be filled with plantings, woodland reforestation areas and a stormwater pond.

- b. **A landscaped buffer around the proposed stormwater management pond;**

The current location for the proposed stormwater management pond was not anticipated in Section I with the prior PPS approval. Some landscaping has been provided between the pond and the nearest proposed lots, which are over 60 feet away from the pond. The Planning Board found that the distance and proposed plantings are sufficient to meet the intent of this condition, which is not directly applicable to the proposed site plan.

- c. **Connecting sidewalks between recreational facilities;**

The proposed recreational facilities are accessible via the sidewalk system that runs through the whole proposed development.

- d. **A nondisturbance buffer along both sides of the stream; and**

There are no streams located within the subject property requiring a nondisturbance buffer.

- e. **The provision of a pathway for students to use for access for adjacent school site.**

The mentioned school site is adjacent to Section III of the PPS and not immediately adjacent to the subject property, which is Section I.

10. **Prior to final plat, a building and parking space count shall be provided for the adjacent Addison Arms Apartments and the Walker Mill Towne development to ensure that adequate parking will be provided to serve these existing uses.**

The subject DSP provides sufficient parking in conformance with the Zoning Ordinance requirements. The land area within DSP-16005 includes a portion of the parking lot for the Woods at Addison Apartments to the south, which is encompassed within an "Existing non-exclusive easement for parking drive and sidewalks" and further described in Liber 3854 in folio 777. Prior to certificate approval of DSP-16005, the plan should be revised to designate the parking easement within a proposed "Outlot" which is to be conveyed to the Woods at Addison Apartments property owner. Prior to the approval of the final plat, the applicant shall submit an executed deed of conveyance (signed by all parties) of Outlot A to the property owner of Parcel B, Woods at Addison Apartments (WWW 47-94), and shall submit a recorded deed of the conveyance prior to the approval of a grading permit. If the applicant is unable to submit a copy of the executed deed of conveyance of Outlot A to the property owner of Parcel B (Woods at Addison Apartments) prior to approval of the final plat, Outlot A shall be incorporated into Parcel B of DSP-16005, and the easement area reflected on the final plat.

- 11. Prior to issuance of building permits on Stage 3, geometric improvements to the intersection of Walker Mill Road and Addison Road shall be made as indicated in the October 14, 1987, Memorandum from the Transportation Planning Division. In addition, the applicant shall provide for any traffic signing, road marking and traffic signal modification, if required.**

The October 14, 1987 memorandum lists the geometric improvements as the construction of double left-turn lanes on the westbound approach of Walker Mill Road at Addison Road. This condition was for Section III of the original PPS development, which was east of Karen Boulevard. The current site plan is in Section I of the original PPS. Therefore, this condition is not applicable to the subject property.

- 12. The applicant is responsible for providing the following improvements to the intersection of Karen Boulevard with Walker Mill Road prior to the issuance of building permits:**
 - a. An exclusive right-turn lane on westbound approach of Walker Mill Road;**
 - b. An exclusive right-turn lane on southbound approach of Karen Boulevard; and**
 - c. An exclusive left-turn lane on eastbound approach of Walker Mill Road.**

All of these improvements can be accomplished by shoulder treatment and remarking of the roadway.

Although this condition does not refer to a particular stage of development, it is assumed that it referred to Sections II and III of the PPS, which are located on both sides of Karen Boulevard. The current site plan is in Section I of the original PPS with no access being provided to Karen Boulevard; the only access/egress point to the subject site is on Addison Road. Therefore, this condition is not applicable to the subject property.

9. **2010 Prince George's County Landscape Manual:** The proposed residential development is subject to Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees along Private Streets, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).
- a. **Section 4.1, Residential Requirements**—Section 4.1 requires a minimum number of trees be provided per residential lots, which can be provided on lots or in common open space for single-family attached dwellings. The correct schedule is provided on the DSP showing this requirement being met for the 56 proposed residential lots.
 - b. **Section 4.6, Buffering Development from Streets**—Section 4.6 requires that, when rear yards of single-family detached or attached dwellings are oriented toward a street, a buffer area should be provided between the yard and the street. The schedules and landscape plan do not reflect these requirements being met in all applicable areas. Therefore, a condition requiring this revision has been included in this approval.
 - c. **Section 4.7, Buffering Incompatible Uses**—Section 4.7 requires a buffer between adjacent incompatible land uses, which occurs along multiple property lines of the subject development. The landscape plan provides the correct schedules showing the requirements being met. However, the schedules for Bufferyards 'A' and 'K' indicate that the requirement and plantings extend into the area of the ultimate right-of-way of Addison Road, which is incorrect. Theses bufferyards, and the plantings for them, should end at the ultimate right-of-way line of Addison Road. Therefore, a condition requiring this revision has been included in this approval.
 - d. **Section 4.9, Sustainable Landscaping Requirements**—Section 4.9 requires certain percentages of native plants be provided on-site, along with no invasive plants and no plants being planted on slopes steeper than three-to-one ratio. The submitted landscape plan provides the required schedule and notes showing the requirements of this section being met. However, the schedule does not match the plant list and should be revised to concur and show the requirements being fully met. Therefore, a condition requiring this revision has been included in this approval.
 - e. **Section 4.10, Street Trees along Private Streets**—Section 4.10 provides specifics for the planting of street trees along private streets, which apply to the subject development. The submitted landscape plan provides the required schedules; however, it shows the requirements of this section are not always met. The landscape plan and schedules should

be revised to clarify the requirements and show them being met. Therefore, a condition requiring this revision has been included in this approval.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** In comments dated May 17, 2016, the Environmental Planning Section stated that the property under discussion is subject to the environmental regulations of the Zoning Ordinance that came into effect on September 1, 2010 because it is for a new DSP. This site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. This site has a Type II tree conservation plan that was approved by the Planning Board, but was never revised and certified. The TCP2, as submitted, has been reviewed and was found to require minor revisions to satisfy the WCO.

- a. **Tree Conservation**—The site contains a total of 9.16 acres of woodlands. The site has a woodland conservation threshold of 2.11 acres. This application proposes to remove 8.24 acres of woodlands, for a total woodland conservation requirement of 5.57 acres. The plan shows the requirement being met with 0.45 acre of woodland preservation on-site, 0.91 acre of reforestation, 0.75 acre of landscape credit, 0.06 acre of street tree credit, and 3.34 acres of off-site mitigation, for a total of 5.51 acres. At this time, no off-site woodland conservation total acreage is shown on the worksheet. The reforestation areas on the plan are appropriate because they are the areas that are adjacent to other woodlands and are along the perimeters of the site. However, the plan must be revised to show areas of woodland retained that are not part of any requirement. Woodland conservation areas that are less than 50 feet in width and not adjacent to a woodland conservation easement area cannot be counted. The woodland conservation worksheet needs to be revised to show the revised acreage numbers and the off-site requirements. There are minor plan, notes and table revisions required. Conditions have been included in this approval requiring the necessary technical revisions to the TCP2, prior to certification.
- b. **Specimen Trees**—Effective October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This state requirement was incorporated in the adopted County Code effective on September 1, 2010.

Section 25-122(b)(1)(G) of the WCO requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual." A Subtitle 25 Variance Application, a statement of justification in support of a variance, and a tree removal plan were stamped as received on April 14, 2016. The specimen tree table on the TCP2 shows the removal of 32 of the 34 on-site specimen trees. The limits of disturbance on the plan also show that these trees are to be removed.

Section 25-119(d) of the WCO contains six required findings to be made before a variance can be granted. The Letter of Justification submitted seeks to address the required findings for all 32 specimen trees as a group; however, details specific to individual trees has also been provided. The Planning Board agreed with the approach to the analysis because there are similar concerns for all of the trees with respect to the required findings and because the location, species and condition of the trees has been called out separately as necessary. The six required findings to be made before a variance can be granted are as follows:

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

The site has existing steep slope areas and elevation changes that require significant grading to allow any kind of development. The 32 specimen trees requested for removal are scattered throughout the property with a large grouping along the frontage of Addison Road. If these trees were to be preserved, development would be significantly limited and the property would be unable to be fully developed in accordance with the allowed zoning.

The two trees to remain (#13 and 38) are located within an on-site preservation area along the southern property line.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;

If all of the specimen trees were to remain preserved, the site could not be developed in accordance with current zoning and allowed density. If other properties include trees in similar locations and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants;

The Planning Board supports the removal of specimen trees in the most developable areas of the site, because of the significant amount of grading required to develop the site. If other properties include trees in similar locations and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant;

The site is undeveloped and the applicant has taken no action to date on the subject property. Therefore, the request is not based on conditions or circumstances which are the result of actions by the applicant.

- (E) **The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and**

The requested variance does not arise from a condition relating to the land or building use, either permitted or nonconforming on a neighboring property. There are no existing conditions on the neighboring properties that have any impact on the location or size of the trees, nor are there conditions that are affecting the layout and development of the site, with respect to the need to remove the specimen trees.

- (F) **Granting of the variance will not adversely affect water quality.**

Granting the variance to remove the specimen trees will not directly affect water quality because the reduction in tree cover caused by specimen tree removal is minimal. Specific requirements regarding stormwater management for the site will be further reviewed by the Department of Permitting, Inspections and Enforcement (DPIE).

The Planning Board found that the required findings of Section 25-119(d) have been adequately addressed by the applicant for the removal of specimen trees #2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 24, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, and 59.

11. **Prince George's County Tree Canopy Coverage Ordinance:** The site is subject to the Prince George's County Tree Canopy Coverage Ordinance. The Ordinance requires that, based on the zoning of the site, 15 percent of the site be covered in tree canopy. The overall net site area measures 9.72 acres, requiring 1.46 acres, or 63,510 square feet, of the site be in tree canopy. The site plan provides the appropriate schedule indicating that this requirement is being met on-site with a combination of proposed woodland conservation, non-woodland conservation trees and the proposed tree plantings. However, the schedule determines the requirement based on the gross site area and not the net area. Therefore, a condition has been included in this approval requiring this to be revised.
12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Archeological Review**—A Phase I archeological survey was conducted on the subject property in February 2006. A total of 79 shovel test pits were excavated on portions of the property that were not previously disturbed by grading. No archeological sites were identified on the subject property and no further investigations were recommended. The Planning Board concurred that no additional archeological investigations were warranted on the subject property.

There are no historic sites or resources on or adjacent to the subject property. Proposed development will not affect any historic site or resources or archeological sites.

- b. **Community Planning**—*Plan Prince George's 2035 Approved General Plan* (Prince George's 2035 General Plan) designates this area in the Established Communities Growth Policy area. The vision for Established Communities is a context-sensitive infill and low to medium-density development. The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA) classifies part of the subject property in the R-T Zone and the other in the R-18 Zone. Findings of conformance to the master plan or general plan are not required with this application. There are no master plan issues associated with this DSP.

- c. **Transportation Planning**—The Planning Board reviewed applicable conditions of the PPS in Finding 8 above and the following are additional summarized transportation comments:

There is one entrance to the site on Addison Road. This will be a private street. Turnarounds are shown at the end of each alley. A roundabout or traffic circle is shown on the site plan. The Planning Board found that a two-lane approach should be used exiting the site at Addison Road. A five-foot-wide sidewalk is shown along the private residential street. The applicant has proposed vacating Towne Terrace. This will be part of a separate application.

The site is adjacent to Addison Road, which is a master-planned arterial roadway listed in the Subregion 4 Master Plan and SMA with 120 feet of right-of-way. The ultimate right-of-way of Addison Road is shown on the site plan. No new development is proposed in the master-planned right-of-way of Addison Road.

It is noted that the County's Proposed FY 2017–2022 Capital Improvement Program (CIP ID No. FD666601) includes a road widening project for Addison Road between Walker Mill Road and MD 214 to four lanes with a median.

Overall from the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a DSP as described in the Zoning Ordinance.

- d. **Subdivision Review**—The Planning Board reviewed a discussion of the current applicable PPS included in Finding 8 above along with the following additional summarized comments:

The property was platted as NLP 147-81 and NLP 147-82. With plat NLP 147-81, 15,891 square feet was conveyed to public use as right-of-way for Towne Terrace. The layout as proposed requires the vacation of the existing right-of-way in accordance with Section 24-112 of the Subdivision Regulations.

The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) designates the frontage on Addison Road South as an arterial, A-33, with an ultimate 120-foot-wide right-of-way. This potential additional dedication should be reflected on the final plats. At the time of the original platting of the property Addison Road South was not a 120-foot-wide right-of-way.

The property shall be re-platted in accordance with DSP-16005. The plat notes shall be revised in accordance with the approval of DSP-16005, if required, including the possible amendments to the RFA (Liber 7244 at folio 357) and/or the Declaration of Covenants (Liber 7195 at folio 93.)

No building permits shall be issued until evidence is provided that an HOA has been established and that the common areas have been conveyed to the HOA.

The PPS (4-89179) was approved with 81 single-family attached dwellings in this area which was considered Section I. DSP-16005 proposes 56 quadruple-attached lots. With the approval of County Council Bill CB-112-2004, the allowable density on the property was reduced from 8 dwelling units per acre to six dwelling units per acre. This reduction in dwelling units is reflected with this DSP, and the applicant is required to re-plate the property in accordance with the approved DSP-16005. The bearings, distances, lots, and blocks as reflected on the final plats must be shown on and match those of DSP-16005. Failure of the site plan and record plans to match will result in the permits being placed on hold until the plans are corrected.

Detailed Site Plan DSP-16005 is in substantial conformance with approved PPS 4-87179 if the above comments are addressed. It should be noted that the bearings, distances, lots, and blocks as reflected on the final plats must be shown and match DSP-16005. There are no other subdivision issues at this time.

The withdrawal of PPS 4-09068 has been submitted and the DSP has been revised to designate Outlot A as requested. The remaining nine conditions have been included in this approval.

- e. **Trails**—The Planning Board reviewed comments regarding conformance to trails-related PPS conditions in Finding 8 above. Additional trails comments are as follows:

The site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (area master plan).

One master plan trail is in the vicinity of the subject site. Both the MPOT and the area master plan recommend master plan trail or bikeway facilities along Addison Road. Currently, a variety of cross sections exist along Addison Road south of MD 214, and frontage improvements have been required for nearby development applications in the corridor. The wording from the MPOT regarding Addison Road is copied below:

Addison Road Sidewalks and Bike Lanes: Designated bike lanes and continuous standard or wide sidewalks are needed to provide multimodal access to the Addison Road Metro Station south of MD 214. These facilities will accommodate safe and convenient multimodal access to the Addison Road Metro Station from the communities along Addison Road (MPOT, page 19).

It should also be noted that designs are underway for a Complete and Green Street Project along Addison Road, including the frontage of the subject site. These planned improvements will address existing sidewalk gaps along the road between the site and the Metro station, stormwater management, and provide designated bike lanes. The subject application reflects an eight-foot-wide sidewalk along the site's frontage of Addison Road. This meets the intent of the master plan and all improvements within the right-of-way need to be coordinated with the Department of Public Works & Transportation Complete Green Street Project. The MPOT includes several policies related to pedestrian access and the provision of sidewalks. The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians and provision of complete streets:

POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Continuous sidewalks should be provided along both sides of all internal roads. The sidewalk treatment should be continued through the driveway aprons on the south side of Addison Court as is shown on the north side. The site also reflects a trail connection to the adjacent M-NCPPC parkland, which is currently undeveloped.

Trail Issues

Revise the site plan to include a standard sidewalk along the entire south side of Addison Court. The sidewalk shall be carried through the driveway aprons of Lots 41-52 and shall be marked and labeled on the DSP.

The DSP has been revised to reflect the specified sidewalk improvements.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—DPR did not provide comments on the subject application.
- g. **Permit Review**—Permit review comments have been addressed by revisions to the plans.
- h. **Environmental Planning**—The Planning Board reviewed a summary of the environmental site description and a discussion of the DSP's conformance with the Woodland and Wildlife Habitat Conservation Ordinance, as discussed in Finding 10 above, and the following additional comments:

A recently approved Natural Resource Inventory plan (NRI-011-06-01) was submitted with the review package, which was approved on December 21, 2015. The NRI verifies that no regulated environmental features or woodlands occur on the subject property.

A Stormwater Management Concept Approval Letter (55311-2015-00) and associated plan were submitted with the application for this site. The approval was issued on March 15, 2016 with this project from the Prince George County Department of Permitting, Inspections and Enforcement (DPIE). The approved plan proposes one stormwater management pond, 11 dry wells, 11 micro-bioretenment facilities, rooftop disconnect systems, permeable pavers, filterra, and an underground detention facility. These best management practices are directed to the west to an existing outfall system across Addison Road and to the east, off-site to a new outfall system. DPIE is requiring the existing outfall system be fortified with riprap/gabion protection. No PMA will be disturbed as part of these activities. No stormwater management fee is required for on-site attenuation/quality control measures.

In accordance with Section 24-152 of the Subdivision Regulations, there are no scenic or historic roads located on or adjacent to the subject property. The subject property is located adjacent to Addison Road.

Addison Road is classified as an arterial roadway and considered a transportation-related noise generator. A noise study was conducted during the 4-06098 review. The noise study showed a 65 dBA Ldn noise contour at 150 feet off the centerline of Addison Road due to decrease in the average daily traffic (ADT) and with no justification. It was determined that the Environmental Planning Section Noise Model should be used, which identified the 65 dBA Ldn noise contour at 228 feet off the centerline of Addison Road.

The submitted TCP2 does not show the 65 dBA Ldn noise contour along Addison Road. The projected 65 dBA Ldn noise contour adjacent to Addison Road will not impact the proposed adjacent residential lots and playground area because these structures are located outside of the impacted area. The proposed buildings located near Addison Road will not require an engineer to perform an acoustical analysis.

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), are the Collingwood-Wist complex, Marr-Dodon complex, Sassafras-Urban land complex, and Widewater and Issue soils. According to available information, Marlboro clay and Christiana complex are not identified on the property.

Environmental conditions have been included as conditions of this approval.

- i. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not provide comments on the subject application.
- j. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated May 18, 2016, DPIE offered the following comments on the subject application:
 - (1) The project is located on the west side of Addison Road, 300 feet north of Ronald Road. Frontage improvements and right-of-way dedication along Addison Road are required in accordance with the Department of Public Works and Transportation's (DPW&T) Urban Arterial Roadway Standards (120-foot to 130-foot right-of-way). The frontage improvement shown on the DSP does not match with the planned improvement of Addison Road. Applicant shall coordinate with DPW&T and revise plan to reflect ultimate Addison Road alignment improvements and proposed grading.
 - (2) All improvements within the public rights-of-way, as dedicated for public use to the County, are to be in accordance with the County's Road Ordinance, DPW&T's specifications and standards, and the Americans with Disabilities Act (ADA).
 - (3) Conformance with DPW&T's street tree and street lighting standards is required.
 - (4) All storm drainage systems and facilities are to be in accordance with DPW&T's specifications and standards requirements.
 - (5) Existing utilities may require relocation and/or adjustment. Coordination with the various utility companies is required.
 - (6) Label all roads as private.

- (7) A soils investigation report that includes subsurface exploration and site grading, stormwater management BMPs and geotechnical engineering evaluation for streets is required.
- (8) Revise/increase road widths to 22 feet, where required, to comply with County Fire Code, Subtitle 11-276(b).
- (9) Provide fire truck maneuverability analysis with site development fine grading permit submittal to demonstrate adequate turning radius for all roadways and parking lots.
- (10) All storm drainage systems and facilities are to be in accordance with DPW&T's and the Department of the Environment (DoE) requirements.
- (11) Existing ten-foot-wide public utility easement (PUE) needs to be vacated.
- (12) Additional right-of-way must be dedicated to Prince George's County for widening of Addison Road.
- (13) The proposed DSP is consistent with an approved Stormwater Management Concept Plan 55311-2015, dated March 15, 2016. The concept plan proposes numerous micro-bioretenment facilities, one pond and one underground detention system.
- (14) The proposed pond will be hydraulically and structurally maintained by the County, but will be aesthetically maintained by the future homeowners association (HOA). The other stormwater management facilities will require HOA maintenance.
- (15) This memorandum also incorporates the site development plan review comments pertaining to stormwater management (Section 32-182(b) of the Prince George's County Code).

The majority of DPIE's comments are required to be addressed either prior to issuance of permits or at the time of technical plan approvals. It should be noted that DPIE has stated that the plans meet the intent of the approved stormwater management concept plan. The plan has been revised to address applicable comments, such as labeling the roads as private, increasing the road widths to 22 feet and showing the additional right-of-way dedication along Addison Road.

- k. **Prince George's County Police Department**—The Police Department did not provide comments on the subject application.

- l. **Prince George's County Health Department**—The Health Department did not provide comments on the subject application.
 - m. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated April 28, 2016, WSSC provided a standard response on issues such as pipe and easement requirements.
 - n. **Verizon**—Verizon did not offer comments on the subject application.
 - o. **Potomac Electric Power Company (PEPCO)**—PEPCO did not offer comments on the subject application.
 - p. **Town of Capitol Heights**—The Town of Capitol Heights did not offer comments on the subject application.
 - q. **City of District Heights**—The City of District Heights did not offer comments on the subject application.
 - r. **City of Seat Pleasant**—The City of Seat Pleasant did not offer comments on the subject application.
13. Based on the foregoing, and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
14. As required by Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

The site contains no regulated environmental features that are required to be protected under Section 27-285(b)(4) of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type 2 Tree Conservation Plan (TCP2-012-16) and further APPROVED Detailed Site Plan DSP-16005 for the above-described land, subject to the following conditions:

1. Prior to certification, the applicant shall revise the detailed site plan (DSP) or provide the specified documentation as follows:
 - a. Revise the Tree Canopy Coverage schedule to calculate the tree canopy coverage area based on the net site area.
 - b. Adjust the labeling and details for all fences.
 - c. Revise the plan to provide landscaping, which is attractive year-round, at the base of the gateway signs.
 - d. Revise the design of the western recreational area to maximize the usability of the proposed facilities and ensure the appropriate relationships between the site elements. Revise details as appropriate.
 - e. Remove the stormwater management pond plantings from the plan.
 - f. Revise the Section 4.6 landscape schedules to show the requirements being fully met for all applicable lots.
 - g. Revise the Section 4.9 landscape schedule to match the plant list and specify the native plants in the plant list.
 - h. Revise the Section 4.10 landscape schedules and landscape plan and clarify what schedules apply to what streets.
 - i. Revise the landscape plan and schedules to indicate that the Section 4.7 bufferyards end at the ultimate right-of-way line of Addison Road.
 - j. Revise the site plan to provide tops and bottoms and heights of all retaining walls on the site plan and provide a minimum of five feet of clearance between the retaining wall and the rear lot line of Lots 9-16.
 - k. Provide a minimum two-foot-wide side yard on all end-unit lots (measured from the main dwelling and excluding the side entry porch), except Lot 36 where there is a conflict with a WSSC easement, and a minimum ten feet of clearance between the lot lines of any two building sticks.
 - l. Revise the Type 2 tree conservation plan (TCP2) as follows:
 - (1) Add a cover sheet to the TCP2 set showing the overall project area with all of the required approval blocks, qualification signature blocks, legend and location map.
 - (2) Revise the approval block to show the updated approval block with the associated

case number.

- (3) Revise approval block to show "TCP2-012-16."
- (4) Add the 65 dBA Ldn noise contour to the plan and legend.
- (5) Remove the symbols from the NRI and add them to the woodland conservation legend.
- (6) Remove the symbol for greater than 15 percent slopes from the plan and legend.
- (7) Revise the existing tree line to only one symbol and remove the double tree line symbol.
- (8) Show all adjacent owner information on the plan view.
- (9) Remove the county champion column from the specimen tree chart.
- (10) Show the existing and proposed conditions of the off-site outfall, west of Addison Road, as required by Prince George County Department of Permitting, Inspections and Enforcement (DPIE).
- (11) Clearly identify and label each area not counted toward the fulfillment of the woodland requirements.
- (12) Remove all woodland conservation (except landscape credit) areas less than 50 feet wide as credit towards the woodland conservation requirement.
- (13) Remove the woodland clearing symbol.
- (14) Revise the legend to reflect all graphic symbols used on the plan.
- (15) Remove the proposed planting species and percentage from the reforestation areas tag leader in the reforestation area.
- (16) Move the woodland summary table on Sheet 1 to Sheet 4 (planting page) and revise to show only the planting "credit" information.
- (17) Add two columns on the plant schedule-reforestation table to "RA-1" and "RA-2" and provide the details of each species planted in these two areas.
- (18) Revise TCP2 General Note 6 to read "...within the Environmental Strategy Area 1 of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*."

- (19) Revise TCP2 General Note 8 to remove the word "not."
 - (20) Revise TCP2 General Note 9 to read "The plan is not..."
 - (21) Revise the computation on the woodland conservation worksheet accordingly to reflect changes made to the plan and add the off-site woodland requirement to meet the woodland conservation required.
 - (22) Have the revised plan signed and dated by the qualified professional who prepared the plan.
- m. Place the following note on the final plat of subdivision:
- "This development is subject to restrictions shown on the approved Type 2 Tree Conservation Plan (TCP2-012-16), or as modified by a future Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."
- n. Reduce the width of the side porches from 5 feet to 4.5 feet.
2. Prior to certification, the applicant shall revise the architecture or provide the specified documentation as follows:
- a. A minimum of two dwelling units in any horizontal, continuous, attached group shall have a roof feature containing either a cross gable or dormer window(s).
 - b. The high-visibility lots shall be noted as follows: Lots 1, 5, 8, 9, 20, 24, 28, 29, 33, 37, 41, 48, 49, and 53. The endwalls and front façades of units on highly visible lots shall have brick or stone at least up to the top of the ground floor elevation and a minimum of four windows. The following lots shall also include a side entry: Lots 5, 20, 24, 28, 29, 33, 37, 41, and 53
 - c. A minimum of 75 percent of the front façade of all building sticks shall be brick or stone.
 - d. All garage doors shall have a carriage-style appearance.
 - e. Above-ground foundation walls shall either be clad with finish materials compatible with the primary façade, or textured/formed to simulate a clad finished material.
3. The proposed private recreational facilities shall be constructed in accordance with the following schedule, which shall be incorporated in the recreational facilities agreement:

- a. The western recreational area, including all amenities, shall be completed prior to issuance of the 29th building permit.
 - b. The eastern recreational area, including all amenities, shall be completed prior to issuance of the 45th building permit.
4. Prior to the approval of a final plat of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall do the following:
 - a. Vacate the portion of right-of-way previously dedicated for public use per Record Plat NLP 147-81 (Walker Mill Towne).
 - b. Amend the existing recreational facilities agreement as recorded in Liber 7244 in folio 357, as appropriate, to correspond to the facilities shown on the approved Detailed Site Plan DSP-16005.
 - c. Amend the homeowners association (HOA) declaration of covenants as recorded in Liber 7195 in folio 93 to correspond to the approved DSP-16005. The covenants shall be submitted to the Development Review Division (DRD) to ensure the rights of the Maryland-National Capital Park and Planning Commission (M-NCPPC) are included. The liber and folio of the declaration of covenants shall be noted on the final plat prior to recordation.
 - d. Submit three original recreational facilities agreements (RFA) amended as appropriate to correspond to DSP-16005 to the M-NCPPC Development Review Division (DRD) for construction of recreational facilities on-site for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the liber/folio reflected on the final plat.
 - e. Reestablish the ten-foot-wide public utility easement (PUE) along all public streets, and one side of all private streets, or a PUE acceptable to the applicable public utility providers, as reflected on the approved detailed site plan.
 - f. Submit an executed deed of conveyance (signed by all parties) of Outlot A to the property owner of Parcel B, The Woods at Addison Apartments (WWW 47-94), and shall submit a recorded deed of the conveyance prior to the approval of a grading permit. If the applicant is unable to submit a copy of the executed deed of conveyance of Outlot A to the property owner of Parcel B (The Woods at Addison) prior to approval of the final plat, Outlot A shall be incorporated into Parcel B of DSP-16005.
5. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association (HOA) land consistent with the approved

preliminary plan of subdivision and detailed site plan. Land to be conveyed shall be subject to the following:

- a. A copy of the recorded deed for the property to be conveyed shall be submitted to the M-NCPPC Development Review Division (DRD), Subdivision Review Section, Upper Marlboro.
 - b. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - c. The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
 - d. Any disturbance of land to be conveyed to a HOA shall be in accordance with an approved detailed site plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the M-NCPPC DRD in accordance with the approved detailed site plan.
 - f. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
6. Prior to issuance of building permits, the applicant and the applicant's heirs, successors, and/or assignees, shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of the on-site recreational facilities.
 7. The following note shall be placed on the final plat:

“Prior to signature approval of a TCP2 for this property, pursuant to Section 25-122(d)(1)(B), all woodland preserved, planted, or regenerated on-site shall be placed in a woodland conservation easement recorded in land records and the liber/folio of the easement shall be indicated on the TCP2.”
 8. The homeowners' association (HOA) declaration of covenants shall include the following provisions:

- a. A five-foot-wide easement shall be established within the common area to be conveyed to the HOA parallel to all side lot lines to allow homeowners the right and ability to maintain the side façade of each end unit.
- b. No fences shall be permitted within or along the side lot line of any end unit which extends beyond the rear wall of the dwelling.

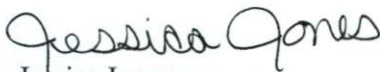
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Shoaff, with Commissioners Washington, Shoaff, Geraldo, Bailey and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 21, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of July 2016.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:JK:mas

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

Date 7/22/16